

1 **P O R T E R | S C O T T**

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13 *Exempt from filing fee pursuant to Government Code section 6103*

14  
15 **UNITED STATES DISTRICT COURT**  
16 **EASTERN DISTRICT OF CALIFORNIA**

17 MARCO ANTHONY GARCIA – PADILLA, CASE NO: 2:21-cv-00206-TLN-DMC  
18 an individual

19 Plaintiff,

20 **STIPULATION AND ORDER TO FURTHER  
21 MODIFY PRE-TRIAL SCHEDULING ORDER**

22 vs.

23 CITY OF GRIDLEY, a legal  
24 Subdivision of the State of California;  
25 ANTHONY LARA, an individual; and  
DOES 1 through 10, inclusive,

Defendants.

26 / Complaint Filed: 02/03/2021

27 In accordance with Local Rule 144 and Federal Rule 6, Plaintiff MARCO ANTHONY GARCIA –  
28 PADILLA (“Plaintiff”) and Defendants CITY OF GRIDLEY and ANTHONY LARA (collectively  
“Defendants”), by and through their respective undersigned counsel, respectfully request that this Court enter  
an Order extending future deadlines in the Modified Pretrial Scheduling Order (the “Scheduling Order”) and  
the Order modifying the Scheduling Order (ECF 4; ECF 10). In support of the instant stipulated request, the  
parties state as follows:

1. WHEREAS, the Court’s February 3, 2021 Initial Pretrial Scheduling Order (ECF 4) set a date of  
January 21, 2022 for the disclosure of expert discovery;
2. WHEREAS, the parties have engaged in settlement discussions;

- 1       3. WHEREAS, the parties requested, and the Court entered, an Order (ECF 10) extending the
- 2       deadline to disclose expert witnesses to February 18, 2022 and the deadline to disclose
- 3       supplemental / rebuttal expert witnesses to March 22, 2022;
- 4       4. WHEREAS, the parties have scheduled a Settlement Conference with Magistrate Judge Grosjean
- 5       on March 7, 2022 (ECF 12);
- 6       5. WHEREAS, the parties stipulate it would be most efficient and productive to continue the
- 7       deadlines to disclose expert witnesses, conduct expert discovery, and file any dispositive
- 8       motion(s) so the parties do not potentially unnecessarily incur the cost and fees of such activities
- 9       prior to engaging in a Settlement Conference; and
- 10      6. WHEREAS, the requested extensions will not unduly delay this case or prejudice any party, nor
- 11       is it made for any improper purpose. Rather, the request is made jointly by the parties and in a
- 12       timely manner. For this additional reason, good cause exists to grant the requested modification
- 13       to the schedule. *See Ahanchian v. Xenon Pictures, Inc.*, 624 F.3d 1253, 1259 (9th Cir. 2010)
- 14       ("requests for extensions of time made before the applicable deadline has passed should 'normally
- 15       . . . be granted in the absence of bad faith on the part of the party seeking relief or prejudice to the
- 16       adverse party.'")

17      **NOW, THEREFORE, IT IS HEREBY STIPULATED** by and between the parties, by and through  
18      their respective counsel of record, that:

- 19       1. The deadline to disclose expert witnesses shall be April 22, 2022;
- 20       2. The deadline to disclose rebuttal/supplemental expert witnesses shall be May 23, 2022; and
- 21       3. The deadline to file and serve pre-trial and or dispositive motions shall be July 22, 2022.

22      Date: January 27, 2022

23      GUIZAR, HENDERSON & CARRAZCO, LLP

24

25      By /s/ Christian Contreras

26      Christian Contreras  
27      Attorneys for Plaintiff

1 Date: January 27, 2022

2 PORTER | SCOTT  
3 A PROFESSIONAL CORPORATION

4 By /s/ William E. Camy

5 William E. Camy  
6 Attorneys for Defendants

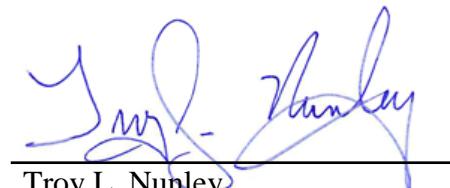
7 **ORDER**

8 Upon review of the Joint Stipulation to Modify the Pre-Trial Scheduling Order and finding Good  
9 Cause therefore, the Court hereby orders that the Initial Pre-Trial Scheduling Order dated February 3,  
10 2021 (ECF 4) and the modification to that Order (ECF 10) be further modified as follows:

- 11 1. The deadline to disclose expert witnesses shall be April 22, 2022;  
12 2. The deadline to disclose rebuttal/supplemental expert witnesses shall be May 23, 2022; and  
13 3. The deadline to file and serve pre-trial and or dispositive motions shall be July 22, 2022.

14 **IT IS SO ORDERED.**

15 DATED: January 27, 2022



16 Troy L. Nunley  
17 United States District Judge